



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
December 16, 2014

MEMBERS, OCONEE COUNTY COUNCIL
Mr. Joel Thrift, District IV, Council Chairman
Mr. Paul Corbeil, District I, Vice Chairman
Mr. Wayne McCall, District II, Chairman Pro Tem
Mr. Paul Cain, District III
Mr. Reg Dexter, District V

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Scott Moulder, County Attorney Thomas Martin and Elizabeth Hulse, Clerk to Council present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeese.com/council]. In addition it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Ray Chandler/Anderson Independent, Dick Mangrum/WGOG Radio & Steven Bradley/The Daily Journal.

Call to Order

Mr. Thrift called the meeting to order at 6:02 p.m.

Public Comment Session / Agenda Action Items Only

Ms. Margaret Thompson addressed Council voicing concerns regarding expanded bus service in Oconee County.

County Council Response to Public Comment

None at this meeting.

Moment of Silence

Prior to the Moment of Silence, Mr. Thrift asked everyone to keep the families of Mr. Bill Frady [former council member and county employee], Mr. Jack James [former Road Department employee] and Mr. George Allgood [local broadcaster] in your prayers upon their passing.

Invocation by County Council Chaplain:

Mr. Tom Martin, County Council Chaplain, gave the invocation.

Pledge of Allegiance:

Mr. Cain led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes:

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve the December 2, 2014 regular meeting as presented.

Chairman presented Plaque of Appreciation to outgoing Vice Chair Mr. Corbeil

Mr. Thrift presented to Mr. Corbeil a plaque thanking him for his 5 ½ years of dedicated service to the County Council and the Citizens of Oconee County.

Mr. Corbeil thanked the Department Heads and staff for their hard work and dedication in providing excellent service to the citizens of Oconee County. He noted that it was his pleasure to serve for the past 5 ½ years.

Administrator's Report & Agenda Summary

Mr. Moulder briefly reviewed with Council and for the public's benefit specifics related to the following matters before Council at this meeting:

- Public Hearings: 2014-28, 2014-29, 2014-30, 2014-31
- Third & Final Reading for Ordinances: 2014-28, 2014-29, 2014-30, 2014-31
- Second Reading of Ordinance: 2014-27
- First Reading of Ordinance: 2014-32, 2014-33 – both in title only
- First & Final Reading of Resolution R2014-20, R2014-21, R2014-22
- Discussion Items
- Old Business: Transit Implementation Plan
- Council Committee Reports
- Executive Session

Mr. Moulder noted a request from the company that Ordinance 2014-32 and Resolution R2014-20 be removed from consideration at this meeting.

Mr. Corbeil made a motion, seconded by Mr. Cain, approved 5 – 0 to remove that Ordinance 2014-32 and Resolution R2014-20 be removed from consideration at this meeting.

Public Hearing Regarding the Following Ordinances

Ordinance 2014-28 “AN ORDINANCE AMENDING CHAPTER 32 AND CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING HEIGHT RESTRICTIONS FOR STRUCTURES LOCATED IN ZONED INDUSTRIAL DISTRICTS AND FOR STRUCTURES LOCATED IN AREAS DESIGNATED BY OCONEE COUNTY AS COUNTY INDUSTRIAL PARKS; AND OTHER MATTERS RELATED THERETO.”

Mr. Thrift opened the floor for Public Comment.

No citizens signed up to speak; therefore, Mr. Thrift asked if any citizens wished to address Council. No citizens stepped forward.

Mr. Thrift asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Thrift closed the Public Hearing regarding **Ordinance 2014-28**.

Ordinance 2014-29 “AN ORDINANCE AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA (THE “COUNTY”) AND **MICHELIN NORTH AMERICA, INC.**, A COMPANY PREVIOUSLY IDENTIFIED AS PROJECT SARAH, ACTING FOR ITSELF, AND/OR ONE OR MORE AFFILIATES OR OTHER PROJECT SPONSORS (THE “COMPANY”), PURSUANT TO WHICH THE COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED FEES IN LIEU OF AD VALOREM TAXES WITH RESPECT TO THE ESTABLISHMENT AND/OR EXPANSION OF CERTAIN FACILITIES IN THE COUNTY (COLLECTIVELY, THE “PROJECT”); (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO THE COMPANY AND THE PROJECT; (3) CERTAIN SPECIAL SOURCE REVENUE CREDITS IN CONNECTION WITH THE PROJECT; AND (4) OTHER MATTERS RELATING THERETO”

Mr. Thrift opened the floor for Public Comment.

Mr. Thrift recognized Mr. Richard Blackwell, Oconee Economic Alliance Director, who addressed Council briefly regarding this project. Additionally, Mr. Blackwell introduced Mr. Roy Chamlee, Michelin North America, Inc., Local & State Government Relations, who made some brief comments in support of passage of Ordinance 2014-29 and Ordinance 2014-30. Mr. Chamlee noted that a final decision by Michelin would be forthcoming in the coming months and that working with the County Council, County Administrator and Mr. Blackwell and his staff had been a pleasure.

No citizens signed up to speak; therefore, Mr. Thrift asked if any citizens wished to address Council. No citizens stepped forward.

Mr. Thrift asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Thrift closed the Public Hearing regarding **Ordinance 2014-29**.

Ordinance 2014-30 “AN ORDINANCE AUTHORIZING AND APPROVING (1) DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN CONJUNCTION WITH PICKENS COUNTY (THE “PARK”), SUCH PARK TO BE, AT THE TIME OF ITS INITIAL DEVELOPMENT, GEOGRAPHICALLY LOCATED IN OCONEE COUNTY AND TO INCLUDE CERTAIN PROPERTY NOW OR TO BE OWNED AND/OR OPERATED BY **MICHELIN NORTH AMERICA, INC.**, A COMPANY PREVIOUSLY IDENTIFIED AS PROJECT SARAH; (2) THE EXECUTION AND DELIVERY OF A WRITTEN PARK AGREEMENT WITH PICKENS COUNTY AS TO THE REQUIREMENT OF PAYMENTS OF FEE IN LIEU OF *AD VALOREM* TAXES WITH RESPECT TO PARK PROPERTY AND THE SHARING OF THE REVENUES AND EXPENSES OF THE PARK; (3) THE DISTRIBUTION OF REVENUES FROM THE PARK WITHIN OCONEE COUNTY; AND (4) OTHER MATTERS RELATED THERETO.”

Mr. Thrift opened the floor for Public Comment.

No citizens signed up to speak; therefore, Mr. Thrift asked if any citizens wished to address Council. No citizens stepped forward.

Mr. Thrift asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Thrift closed the Public Hearing regarding **Ordinance 2014-30**.

Ordinance 2014-31 “AN ORDINANCE TO ALLOW AN EXISTING MULTI-COUNTY INDUSTRIAL PARK AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND WILLIAMSBURG COUNTY, SOUTH CAROLINA TO EXPIRE; TO DEVELOP A MULTI-COUNTY INDUSTRIAL PARK IN CONJUNCTION WITH PICKENS COUNTY, SOUTH CAROLINA, ESTABLISHED PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS OF 1976, SECTION 4-1-170, ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY REGARDING THE MULTI-COUNTY PARK JOINTLY DEVELOPED WITH PICKENS COUNTY; TO RELOCATE PROPERTY TO THE MULTI-COUNTY PARK JOINTLY DEVELOPED WITH PICKENS COUNTY; AND OTHER RELATED MATTERS RELATED THERETO.”

Mr. Thrift opened the floor for Public Comment.

No citizens signed up to speak; therefore, Mr. Thrift asked if any citizens wished to address Council. No citizens stepped forward.

Mr. Thrift asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Thrift closed the Public Hearing regarding **Ordinance 2014-31**.

Third & Final Reading of the Following Ordinances

Ordinance 2014-28 “AN ORDINANCE AMENDING CHAPTER 32 AND CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING HEIGHT RESTRICTIONS FOR STRUCTURES LOCATED IN ZONED INDUSTRIAL DISTRICTS AND FOR STRUCTURES LOCATED IN AREAS DESIGNATED BY OCONEE COUNTY AS COUNTY INDUSTRIAL PARKS; AND OTHER MATTERS RELATED THERETO.”

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve

Ordinance 2014-28 on third and final reading.

Ordinance 2014-29 “AN ORDINANCE AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA (THE “COUNTY”) AND **MICHELIN NORTH AMERICA, INC.**, A COMPANY PREVIOUSLY IDENTIFIED AS PROJECT SARAH, ACTING FOR ITSELF, AND/OR ONE OR MORE AFFILIATES OR OTHER PROJECT SPONSORS (THE “COMPANY”), PURSUANT TO WHICH THE COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED FEES IN LIEU OF AD VALOREM TAXES WITH RESPECT TO THE ESTABLISHMENT AND/OR EXPANSION OF CERTAIN FACILITIES IN THE COUNTY (COLLECTIVELY, THE “PROJECT”); (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO THE COMPANY AND THE PROJECT; (3) CERTAIN SPECIAL SOURCE REVENUE CREDITS IN CONNECTION WITH THE PROJECT; AND (4) OTHER MATTERS RELATING THERETO”

Mr. Dexter made a motion, seconded by Mr. Cain, approved 5 – 0 to approve **Ordinance 2014-29** on third and final reading.

Ordinance 2014-30 “AN ORDINANCE AUTHORIZING AND APPROVING (1) DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN CONJUNCTION WITH PICKENS COUNTY (THE “PARK”), SUCH PARK TO BE, AT THE TIME OF ITS INITIAL DEVELOPMENT, GEOGRAPHICALLY LOCATED IN OCONEE COUNTY AND TO INCLUDE CERTAIN PROPERTY NOW OR TO BE OWNED AND/OR OPERATED BY **MICHELIN NORTH AMERICA, INC.**, A COMPANY PREVIOUSLY IDENTIFIED AS PROJECT SARAH; (2) THE EXECUTION AND DELIVERY OF A WRITTEN PARK AGREEMENT WITH PICKENS COUNTY AS TO THE REQUIREMENT OF PAYMENTS OF FEE IN LIEU OF *AD VALOREM* TAXES WITH RESPECT TO PARK PROPERTY AND THE SHARING OF THE REVENUES AND EXPENSES OF THE PARK; (3) THE DISTRIBUTION OF REVENUES FROM THE PARK WITHIN OCONEE COUNTY; AND (4) OTHER MATTERS RELATED THERETO.”

Mr. Corbeil made a motion, seconded by Mr. Cain, approved 5 – 0 to approve **Ordinance 2014-30** on third and final reading.

Ordinance 2014-31 “AN ORDINANCE TO ALLOW AN EXISTING MULTI-COUNTY INDUSTRIAL PARK AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND WILLIAMSBURG COUNTY, SOUTH CAROLINA TO EXPIRE; TO DEVELOP A MULTI-COUNTY INDUSTRIAL PARK IN CONJUNCTION WITH PICKENS COUNTY, SOUTH CAROLINA, ESTABLISHED PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS OF 1976, SECTION 4-1-170, ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY REGARDING THE MULTI-COUNTY PARK JOINTLY DEVELOPED WITH PICKENS COUNTY; TO RELOCATE PROPERTY TO THE MULTI-COUNTY PARK JOINTLY DEVELOPED WITH PICKENS COUNTY; AND OTHER RELATED MATTERS RELATED THERETO.”

Mr. Corbeil made a motion, seconded by Mr. Cain, approved 5 – 0 to approve **Ordinance 2014-31** on third and final reading.

Second Reading of the Following Ordinances

Ordinance 2014-27 “AN ORDINANCE TO ACKNOWLEDGE AND AUTHORIZE THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN OCONEE COUNTY AND THE CITY OF WESTMINSTER FOR THE PROVISION OF A COUNTY MAGISTRATE TO ACT AS MUNICIPAL JUDGE FOR THE CITY OF WESTMINSTER; AND OTHER MATTERS RELATED THERETO”

Mr. Corbeil made a motion, seconded by Mr. Cain, approved 5 – 0 to approve **Ordinance 2014-27** on second reading.

First Reading of the Following Ordinances

~~**Ordinance 2014-32** [title only] “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE TAX CREDIT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT EAGLE**; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, AUTHORIZATION AND THE CREATION OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK FOR THE PROJECT”~~

Removed from consideration earlier in the meeting.

Ordinance 2014-33 [title only] “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT CONTROL**; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT””

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2014-33** on first reading in title only.

First & Final Reading of the Following Resolutions

~~**Resolution R2014-20** “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT EAGLE**; WHEREBY, UNDER CERTAIN CONDITIONS, OCONEE COUNTY WILL PROVIDE AN INFRASTRUCTURE TAX CREDIT TO PROJECT EAGLE AND PLACE THE PROJECT INTO A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK.”~~

Removed from consideration earlier in the meeting.

Resolution R2014-21 “A RESOLUTION IN SUPPORT OF THE EFFORT TO DEEPEN CHARLESTON HARBOR.”

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Resolution R2014-21** on first & final reading.

Resolution R2014-22 “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT CONTROL**; WHEREBY, UNDER CERTAIN CONDITIONS, OCONEE COUNTY WILL PROVIDE AN INFRASTRUCTURE TAX CREDIT TO PROJECT EAGLE AND PLACE THE PROJECT INTO A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK.”

Mr. Corbeil made a motion, seconded by Mr. Cain, approved 5 – 0 to approve **Resolution R2014-22** on first & final reading.

Discussion Regarding Action Items:

Local and/or State ATAX Grants / \$20,000

Mr. Moulder and Mr. Phil Shirley, PRT Director, addressed Council regarding this matter.

Mr. Corbeil made a motion, seconded by Mr. Cain, approved 5 – 0 to approve ATAX grant recommendations as recommended by the PRT Commission.

Seven [7] Chevrolet Tahoe's / Sheriff's Office / \$204,903

Mr. Moulder and Ms. Robyn Courtright, Procurement Director, addressed Council regarding this matter.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve purchase of seven Chevrolet Tahoes to Love Chevrolet, of Columbia, SC, in the amount of \$204,903.00, per State Contract # 4400009456.

Old Business:

Transit Advisory Task Force Committee Recommendation to Council

Mr. Moulder stated that he had talked to the City of Seneca who are willing to use a spare bus to initiate a trial program to be run five days a week for approximately six months to identify need and ridership. Additionally, he noted that public education regarding the trail period will need to be done prior to initiating any routes.

Grant Write Position / Job Share with School District

Mr. Dexter questioned Mr. Moulder to identify if the part time employee at the school district would be willing to be full time to allow the county to job share her position. The employee did not wish to go full time; therefore, Mr. Moulder stated that he is exploring other options to include an external company such as ECIVIS who would work with county staff to find and write grants and/or recommending in the FY2015-2016 budget funding a full time position for the county.

Discussion followed. No action was taken on this matter.

New Business:

None addressed at this meeting.

Council Committee Reports

Planning & Economic Development Committee / Mr. Corbeil

Mr. Corbeil read from a prepared statement [copy filed with these minutes] highlighting discussions, direction and recommendations to staff from the December 9, 2014 meeting.

Real Estate, Facilities & Land Management Committee / Mr. Cain

Mr. Cain read from a prepared statement [copy filed with these minutes] highlighting discussions, direction and recommendations to staff from the December 9, 2014 meeting.

Mr. Cain made a motion, seconded by Mr. McCall, approved 5 – 0 to direct the Administrator to work with Mr. Markovich & Mr. Witter to draft a proposal regarding the business relationship between the parties, to identify potential costs and entity funding and to develop a master redevelopment agreement for Council's approval.

Mr. Cain made a motion, seconded by Mr. McCall, approved 5 - 0 to direct the Administrator and/or County Attorney to draft an ordinance to convey interest in the Old Coroner Building to the Cherokee Museum for purposes consistent with their mission and with the understanding

that they will work with Patriot's Hall and the Oconee Heritage Museum to potentially share storage space in the building.

Mr. Corbeil made a motion, seconded by Mr. Cain, approved 5 – 0 to direct that the County Owned/Abandoned Property Policy be placed on the January 6, 2015 agenda for Council's consideration.

Board/Commission Appointments

None addressed at this meeting.

Executive Session:

Mr. Corbeil made a motion, seconded by Mr. Cain, approved 5 – 0 to enter Executive Session for the purpose of receiving legal advice regarding an Economic Development matter.

Council entered Executive Session at 7:15 p.m.

Council returned from Executive Session at 7:55 p.m. on a motion by Mr. Dexter, seconded by Mr. Corbeil, approved 5 – 0.

Mr. Thrift stated that no action was taken in Executive Session.

Public Comment Session Non Agenda Action Items:

None at this meeting.

Council Member Comments:

None at this meeting.

Adjourn

Mr. McCall made a motion, approved unanimously 5 – 0, to adjourn at 7:56 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council